IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 26648 of 2007(V)

PETITIONER:

K.K.HARIHARAN PILLAI, AGED 54 YEARS,
KANDANNICKAL HOUSE, VADAKKUMMURY,
MUTHALAKODAM P.O., THODUPUZHA, IDUKKI DISTRICT.
(THASILDAR, DEVIKULAM - NOW UNDER SUSPENSION).

BY ADV. SRI.P.K.BALAKRISHNAN NAIR

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY SECRETARY,
REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

3. THE LAND REVENUE COMMISSIONER,
PUBLIC OFFICE BUILDING,
THIRUVANANTHAPURAM-33.

4. THE DISTRICT COLLECTOR, IDUKKI DISTRICT.

BY GOVT.PLEADER SRI.D.ANIL KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) NO.26648 of 2007

Dated this the 6th day of September, 2007

JUDGMENT

Petitioner challenges Ext.P3 order of suspension pending enquiry. I am not inclined to interfere with Ext.P3 order issued by the Land Revenue Commissioner under Rule 10(1)b of the Kerala Civil Services (Classification, Control and Appeal) Rules 1960 suspending the petitioner pending enquiry. No permanent detriment is caused to the petitioner by way of Ext.P3. The order does not suffer from any infirmity in law.

2. By its very nature, an order of suspension pending enquiry is capable of being reviewed by the appointing authority or by the Government, if the circumstances so warrant and there is a change of circumstances. The petitioner has filed Ext.P4 representation before the Land Revenue Commissioner. In view of the fact that the petitioner is due to retire on 29.2.2008, it will be appropriate that the Land Revenue Commissioner looks into Ext.P4, at the earliest.

3. The writ petition is disposed of directing the third respondent to consider and pass appropriate orders on Ext.P4 within a period of one month from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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